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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,329	10/23/2001	Murray G. Sandberg	DP-300259	3591

7590 03/19/2004
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EXAMINER

MARTIN, ANGELA J

ART UNIT	PAPER NUMBER
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1745

DATE MAILED: 03/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,329

Applicant(s)

SANDBERG ET AL.

Examiner

Angela J. Martin

Art Unit

1745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7 is/are allowed.
- 6) ☒ Claim(s) 10 is/are rejected.
- 7) ☒ Claim(s) 8, 9, 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10/23/01.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: In the amendment of the specification, which states, "This is a division of application Serial No. 09/502,706 filed on February 11, 2000." Please include that the application is now U.S. Pat. No. 6,406,815 B1.

Appropriate correction is required.

Claim Objections

2. Claims 8-11 are objected to because of the following informalities: Claims 8-10 are dependent on cancelled claim 6 and claim 11 is dependent on cancelled claim 1. It is believed by the Examiner that claims 8-11 are dependent on independent claim 7.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 recites the limitation "the one-way valve housing" attached to the anode cell terminal. There is insufficient antecedent basis for this limitation in the claim.

Allowable Subject Matter

5. Claim 7 is allowed.
6. The following is an examiner's statement of reasons for allowance:

The Applicant claims a method of manufacturing a lithium ion battery comprising providing a plurality of bipolar lithium cells with a polymer separator there between; electrically attaching the anodes to an anode terminal and the cathodes to a cathode terminal; positioning the cells longitudinally within a housing having a front and back thereto so as to be parallel to the sides of the housing; and assembling the anode cell terminal at one end of the housing and the cathode cell terminal at the opposite end of the housing thereby enclosing the cells within the housing.

In the prior art of record, Rouillard et al., U.S. Pat. No. 6,120,930, teaches a method of manufacturing a lithium ion battery comprising providing a lithium cell with a polymer electrolyte; electrically attaching the anodes to an anode terminal and the cathodes to a cathode terminal; positioning the cells longitudinally within a housing having a front and back thereto so as to be parallel to the sides of the housing; and assembling the anode cell terminal at one end of the housing and the cathode cell terminal at the opposite end of the housing thereby enclosing the cells within the housing. McCullough, U.S. Pat. No. 5,518,836, teaches a lithium ion battery comprising a housing and an anode terminal and a cathode terminal; a bipolar electrode and a polymer separator; positioning the cells longitudinally within a housing having a front and back thereto so as to be parallel to the sides of the housing.

However, the prior art of record do not teach a method of manufacturing a lithium ion battery comprising providing a plurality of bipolar lithium cells and assembling the anode cell terminal at one end of the housing and the cathode cell terminal at the opposite end of the housing thereby enclosing the cells within the housing.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. Claim 10 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.
8. Claims 8, 9, and 11 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Angela J. Martin whose telephone number is 703-305-0586. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Ryan can be reached on 703-308-0756. The fax phone numbers for

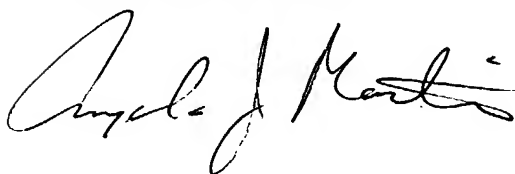
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the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

AJM

December 23, 2003

A handwritten signature in cursive script, appearing to read "Angelo J. Martin". The signature is written in dark ink and is positioned below the typed name and date.